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November 16, 2023

**VIA ECF AND FAX**

The Honorable Nicholas G. Garaufis  
United States District Judge  
Eastern District of New York  
225 Cadman Plaza East  
Brooklyn, New York 11201

**Re:** *Cross River Bank v. First Data Merchant Services LLC*, Case  
No.: 2:23-cv-08377

Dear Judge Garaufis:

I write on behalf of Defendant First Data Merchant Services LLC in the above-referenced matter. I am submitting this letter, pursuant to Your Honor's individual rules, to respectfully request an extension of the deadline to file Defendant's Answer until December 18, 2023. This is Defendant's first request for an extension. The Answer currently is due on November 17, 2023. Plaintiff consents to this extension, and the extension does not affect any other scheduled dates.<sup>1</sup>

The parties thank the Court for its attention to this matter.

Respectfully submitted,  
/s/ Anne B. Sekel

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*Counsel for First Data Merchant Services LLC*

cc: All counsel of record (via ECF)

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<sup>1</sup> The parties are aware of the Court's individual rule providing that requests for extensions, if possible, should be made 48 hours in advance of the deadline. We will adhere to that going forward and apologize for the delay in submitting this application.

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